

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
SEPTEMBER 20, 1967

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. of Wednesday, September 20, 1967, in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - BROWN, CULBERTSON, HUNNELL,
WALTON and KIRSTEN (Mayor)

Absent: Councilmen - None

Also present: City Manager Graves, City Attorney Mullen (arrived at 9:00 p.m.), Administrative Assistant Peterson, and Planning Director Schroeder.

MINUTES

Minutes of September 6, 1967 were approved as written and mailed on motion of Councilman Culbertson, Hunnell second.

PUBLIC HEARINGS

DEFINITIONS FOR
MOBILE HOMES,
HOSPITALS, ETC.
ADOPTED

ORD. NO. 850
INTRODUCED

Notice thereof having been published in accordance with law, Mayor Kirsten called for public hearing on the proposal to amend Chapter 27 (Zoning Ordinance) of the City Code to include certain definitions for Mobile Homes and/or Trailer Parks, Hospitals, and Nursing Homes or Convalescent Homes. There was no one in the audience who wished to speak for or against the proposed definitions. Councilman Hunnell moved the introduction of Ordinance No. 850 amending Chapter 27 of the City Code to include certain definitions for Mobile Homes and/or Trailer Parks, Hospitals, and Nursing Homes or Convalescent Homes. The motion was seconded by Councilman Walton and carried by unanimous vote.

STORM DRAINAGE
FOR ST. PETER'S
LUTHERAN CHURCH

Mr. Clint Hoellworth, 719 South Garfield Street, representing St. Peter's Lutheran Church, addressed the Council concerning the storm drainage requirements for the development of the Church's property on Lower Sacramento Road. The City is requiring that, in addition to the Church's 7 acres, the drainage system be designed so as to provide for drainage for property to the north and south also, the total area being 60 acres between Elm Street and Lodi Avenue. Mr. Hoellworth felt this was excessive and that the church should only pay engineering costs for its property. He said there was a cost gap between what they were being required to pay and what they would be paying if it were only for their property. He felt the City should pay for the engineering calculations over and above what was required for their property. City Manager Graves explained that the calculations to determine the amount of drainage for the properties to the north and south of the Church property would be minor, that the City did not want to get into the subdivision business, that the subdivider is expected to furnish the design to drain the area in accordance with City standards, and that the City has to be careful not to be arbitrary by saying what the design shall be. Maurice Ray, Jr., speaking in regard to his proposed subdivision to the north of the Church property, said his main concern was the financial gap, that they should only have to participate in the cost to the extent their property was being served. After

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SUBDIVIDER
PROVIDES
ENGINEERING

considerable discussion, the Council felt the only valid point was that of financing and that the current acreage fee should be reviewed. (City Attorney Mullen arrived.) Councilman Culbertson moved that the Council reaffirm its position of requiring the subdivider to do all the engineering. The motion was seconded by Mayor Kirsten and carried. Councilman Culbertson then moved that the matter of the financial disagreement be continued until the City has received a definite plan for the required drainage and the costs thereof. The motion was seconded by Councilman Brown and carried.

PLANNING COMMISSION

REZONING
510 MURRAY ST
TO R-4

The Planning Commission recommended approval of the request of Mr. Lawrence Fowler for a change in zoning from the C-1 Neighborhood Commercial zone to the R-4 Multiple Family Institutional Residential zone for property at 510 Murray Street. On motion of Councilman Walton, Brown second, the proposal was set for public hearing on October 4, 1967.

USES REQUIRING
USE PERMITS

The Planning Commission also recommended amendments to the Zoning Ordinance which would modify the permitted uses and uses requiring use permits in the various zoning districts. On motion of Councilman Culbertson, Walton second, the matter was set for public hearing on October 4, 1967.

PC ACTIONS

The following actions of the Planning Commission of interest to the Council were reported:

1. Approved a request for a variance to reduce the required rear yard from 10 feet to 7 1/2 feet to permit the erection of a two-car garage at 611 Louie Avenue.
2. Denied a request for a variance to permit a third dwelling unit where only two units are permitted at 428 Eden Street.

APPEAL RE
GAS STATION
RES. NO. 3093

The City Council adopted Resolution No. 3093 on motion of Councilman Culbertson, Hunnell second, authorizing Planning Director Schroeder to act on behalf of the City Council in appealing the decision of the County Board of Zoning Adjustment in approving Use Permit Application No. 4101 by Signal Oil and Gas Company to erect an automobile service station at the south-east corner of Kettleman Lane and Lower Sacramento Road.

COMMUNICATIONS

CLAIM FOR
INJURIES

A "Claim for Personal Injuries" was received from Audry Lear in the amount of \$25,000 plus medical expenses. Claimant claims she was injured on June 30, 1967 while walking on the sidewalk on School Street near the Cottage Bakery. On motion of Councilman Brown, Hunnell second, the Council denied the claim of Audrey Lear and referred it to the City's Agent of Record, Max Elson.

J. HANLEY
ABANDONMENT
REQUEST

A request was received from James E. Hanley to abandon a 20-foot strip of land north of Lot 37, Walnut Orchard Tract. Councilman Culbertson moved that the request be referred to the Planning Commission and the Public Works Department for recommendation. The motion was seconded by Councilman Walton and carried.

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COUNTY CATV
ORDINANCE

The Council received a proposed County Ordinance for the regulation of CATV. On motion of Councilman Culbertson, Walton second, the ordinance was referred to the City Attorney for study and report.

V. BERTSCH
RE DOGS

A letter was read from Mrs. Violet Bertsch, 507 Gerard Drive, requesting action in control of dogs. Councilman Hunnell requested a report on the operations of the Poundmaster.

ABC LICENSES

The following notices of applications for Alcoholic Beverage Licenses were read:

1. Person to Person Transfer, On Sale Beer, from Dennis M. Parker and Robert W. Smith to Roger M. & Judith A. Gundert, "The Playboy," 7 South Sacramento Street.
2. Person to Person Transfer, On Sale General Eating Place, from Frances E. Ashford to Bud and Shirley L. Ashford, "Boyce's," 101 Lakewood Mall.

AJR 29

In regard to the letter and copy of Assembly Joint Resolution No. 29 from Assemblyman Bob Monagan which had been received at the previous meeting. Councilman Culbertson moved that it be tabled. The motion was seconded by Councilman Walton and carried.

REPORTS OF CITY MANAGER

CLAIMS

Claims in the amount of \$464,819.10 were approved on motion of Councilman Walton, Hunnell second.

SPECS -
TRANSFORMERS

City Manager Graves presented specifications for 12,000 volt compartmentalized, pad-mount type transformers. On motion of Councilman Hunnell, Walton second, the specifications were approved and calling for bids authorized.

AWARD -
POUND TRUCK

Bids received for the cab and chassis for the pound truck were as follows:

RES. NO. 3094	Weil Motors	\$2091.20
	Loewen Auto Co.	2115.70

The Council awarded the contract for furnishing the cab and chassis to the low bidder, Weil Motors, by adoption of Resolution No. 3094 on motion of Councilman Walton, Hunnell second.

AWARD -
BASIN B-1
STRUCTURES

The following bids were received for B-1 Retention Basin Structures and Storm Drainage:

RES. NO. 3095	W. M. Lyles Company	\$ 12,798.50
	Wm. Burkhardt	17,298.44
	Republic Construction Co.	17,311.67
	A. Teichert & Son	21,986.50

On motion of Councilman Brown, Walton second, the City Council adopted Resolution No. 3095 awarding the contract to the low bidder, W. M. Lyles Company.

UTILITY
SUPERVISOR

RES. NO. 3096

Mr. Graves presented specifications for General Foreman, Utility, with the recommendation that the title be changed to Utility Supervisor in order to conform to the City's organizational structure. On motion of Councilman Walton, Hunnell second, the City Council adopted Resolution No. 3096 changing the title as recommended.

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CIVIC CENTER
FOUNTAIN

The City Manager reviewed the background of the Civic Center fountain, stating that at the outset it was thought that Mr. Marv Putnam could design and supervise construction of the fountain for around \$1500. Subsequently it was determined that the City would need a licensed architect to design the fountain and that if Mr. Putnam was to supervise the work, it should be as a consultant to the architect who would have the final responsibility. A proposal had been received from Architect Arlie Preszler of Lodi that he would do the drawings, specifications, supervision, etc., for 10% plus any cost to Mr. Putnam as consultant. Mr. Preszler, who was present, said he had discussed the situation with Mr. Putnam and had agreed to have him as a consultant for \$1100 which the City would pay over and above the 10%. Mr. Putnam, also being present, agreed to the \$1100 which would include the work he had already done on the design. Councilman Culbertson moved that the Council accept the offer of Arlie Preszler to design and supervise construction of the fountain for 10% plus \$1100 for the consultant. The motion was seconded by Councilman Brown and carried.

SIDEWALK
CONSTRUCTION
AT 650 LOMA DR.

RES. NO. 3097

The report of the Public Works Director as Superintendent of Streets in the matter of the installation of curb, gutter and sidewalk at 650 Loma Drive was presented. The total cost of the project amounted to \$1,070.45. On motion of Councilman Brown, Walton second, the City Council adopted Resolution No. 3097 confirming the report. A proposed resolution was presented providing for payment of the assessment on the installment plan. Mr. Graves said he would like to review this resolution before making a recommendation to the Council,

R/W AT NE
CORNER OF LODI
AVE. & HAM LN

RES. NO. 3098

Mr. Graves presented sketches of the property belonging to Mrs. Mary Teierle at the northeast corner of Ham Lane and Lodi Avenue, showing in orange the amount of right of way which will be required along Lodi Avenue and Ham Lane at such time these streets are widened to their ultimate width and also showing in red a small area of 85 square feet at the intersection. Acquisition of this smaller area would permit rounding the corner with a 20-foot radius. Councilman Culbertson stated that rounding off the corner would help, but taking what the City will ultimately require would be much better. It was estimated that cost of relocating the signals would amount to between \$800 and \$1000. On being questioned, Director of Public Works Jones said it would be more logical to acquire the smaller area now. He did not feel that widening Lodi Avenue for the full width for the length of this property would accomplish much until the rest of the street is widened. After discussion, Councilman Culbertson moved that the Teierle property required for the ultimate widening of Ham Lane and Lodi Avenue as shown on the sketch in orange be acquired. His motion died for lack of a second. Councilman Walton moved that the City acquire the portion of the Teierle property shown in red on the sketch, being an area of approximately 85 square feet at the northeast corner of Lodi Avenue and Ham Lane. The motion was seconded by Councilman Brown and carried, with Councilman Culbertson voting no. Councilman Walton then moved the adoption of Resolution No. 3098 authorizing the City Attorney to start condemnation proceedings and obtain an order to immediate possession of said corner area. The motion was seconded by Councilman Brown and carried.

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SALARIES

RES. NO. 3099

The City Manager informed the Council that the Administrative Assistant has been working on the salary survey but it has not been completed. He recommended that the Council adopt a resolution making any increases that might be granted effective as of September 1. On motion of Councilman Culbertson, Walton second, the City Council adopted Resolution No. 3099 declaring that if salary increases are granted in October they will be effective as of September 1, 1967.

BORON ADDN
WITHDRAWN
FROM RURAL
FIRE DISTRICT

RES. NO. 3100

Mr. Graves stated that annexation of the Boron Addition had been completed so it was in order for the Council to withdraw the addition from the Woodbridge Fire District. On motion of Councilman Brown, Walton second, the City Council adopted Resolution No. 3100 withdrawing the Boron Addition from the Woodbridge Rural County Fire Protection District.

ARCHITECT
RETAINED FOR
BASIN A-1 PARK
FACILITIES AND
LAKE PARK
BEACH AREA

Mr. Graves recommended that Mr. Arlie D. Preszler, Architect, be retained to make plans and specifications for bleachers, dugouts and backstops at Basin A-1, for dressing rooms, etc., at Basin A-1, and for renovation of the Lake Park beach area in accordance with the Master Plan for Lodi Lake Park. Councilman Brown moved that Arlie Preszler be retained to design the bleachers, etc., at Basin A-1. The motion was seconded by Councilman Walton and carried. Councilman Brown moved that Arlie Preszler be retained to design the Recreation Building at Basin A-1. The motion was seconded by Councilman Hunnell and carried. Councilman Hunnell moved that Arlie Preszler be retained to develop the plan for the beach area at Lodi Lake Park. The motion was seconded by Councilman Culbertson and carried.

PLANS FOR
LAKE PARK
EXPANSION

Mr. Graves reported that Mr. Paul Tritenbach, Landscape Architect, had been hired some time ago to do some preliminary planning for 50 acres northeast of Lodi Lake Park, but had come to no conclusions before terminating his contract with the City. Mr. Graves recommended that Lothar Schipanski, Tritenbach's former partner, be retained to make a preliminary plan for this area. The costs would be in the neighborhood of \$500 to \$600. Plans are required in order to qualify for State bond money through the County and the area may also qualify for Federal funds. Councilman Culbertson moved that Mr. Schipanski be authorized to prepare preliminary plans for 50 acres northeast of Lodi Lake Park. The motion was seconded by Councilman Walton and carried.

LANDSCAPING -
CITY & BANK
OF AMERICA
PARKING LOTS

Mr. Graves presented the plans which had been made for the landscaping of City parking lots in conjunction with exchange of lots with Bank of America. Some members of the Council expressed dissatisfaction with the location of the Bank's drive-in windows and the location of the driveway. There was also some question as to whether or not the bank's lot would remain open outside of its business hours. After discussion, it was moved by Councilman Culbertson, Walton second, that the plans be tabled to the meeting of October 4, 1967.

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Councilman Walton inquired about the following:

1. Status of travel insurance for the Council. Mr. Graves stated he would have a report ready at the next Council meeting.
2. Installation of a stop sign at Walnut Street and Pleasant Avenue for St. Anne's School. Mr. Graves said he would have this checked.
3. Charges made by the Police Department to make copies of reports. He felt that \$2 was too much for the first copy and that people who needed copies were paying more than their share; the charge should be based on the actual cost. The matter was placed on the agenda for the meeting of November 15.

Councilman Culbertson inquired about the restrooms to be installed at Emerson Park along with facilities like shuffle board for Senior Citizens. Mr. Graves said he would find out the present status of this project.

ADJOURNMENT

There being no further business, the Council adjourned at 11:20 p.m. on motion of Councilman Brown.

Beatrice Garibaldi

Attest: BEATRICE GARIBALDI
City Clerk